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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,498	11/13/2003	Michael Frank	PIX-P-058	1199
32566 7590 08/20/2007 PATENT LAW GROUP LLP 2635 NORTH FIRST STREET SUITE 223 SAN JOSE, CA 95134			EXAMINER CUNNINGHAM, GREGORY F	
			ART UNIT 2624	PAPER NUMBER
			MAIL DATE 08/20/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. This action is responsive to communications of response received 06/13/2007.
2. The disposition of the claims is as follows: claims 1 - 11 are pending in the application.

Claim 1 is the only independent claim. Claims 3 and 12-21 have been withdrawn.

However, since claim 1 is generic to species A (Figure 1) and species B (Figure 3) and claim 3 is readable on Figure 3, upon allowance of generic claim 1, consideration would be given to claim 3.

3. The group and/or Art Unit location of your application has changed. To aid in the correlation of any papers for this application, all further correspondence should be directed to Group Art Unit 2624 (effective 05/07). Please be sure to use the most current art unit number on all correspondence to help us route your case and respond to you in a timely fashion.
4. When making claim amendments, the applicant is encouraged to consider the references in their entirety, including those portions that have not been cited by the examiner and their equivalents as they may most broadly and appropriately apply to any particular anticipated claim amendments.

Election/Restrictions

5. Applicant's election without traverse of claims 1, 2, 4-11 and consideration of claim 3 if claim 1 would be allowed in the reply filed on 06/13/2007 is acknowledged.

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6. This application contains claims 12-21 drawn to an invention nonelected. A complete reply to the *Ex parte Quayle* should include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

9. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are:

A. This may be just broad claim language, but for something as substantial as “calculating a confidence estimate for each predicted pixel value”, one would tend to know what is use to generate the confidence estimate for each predicted value. According to this claim language it could be pulled out of thin air. Hence there in no origination of the relationship for generating the confidence estimate.

B. The structural relationship for using the temporal filtering is lost. Temporal filtering is performed, but no use is made of it in claim 1. Perhaps the intent was to subtract the temporally

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filtered fixed pattern noise estimate for each pixel from the frame of pixel data to generate a final image.

Allowable Subject Matter

10. Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

11. Claims 2-11 would be allowable if claim 1 was rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

12. This application is in condition for allowance except for the following formal matters:

The rejections as stated under 35 U.S.C. 112, second paragraph.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Responses

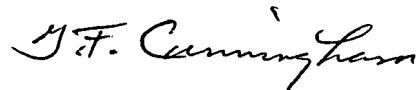
13. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Inquiries

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory F. Cunningham whose telephone number is (571) 272-7784.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Bella can be reached on (571) 272-7778. The Central FAX Number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gregory F. Cunningham
Examiner, Art Unit 2624

gfc

08/15/2007



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